

Chapter 14.08**SEWER CONNECTIONS AND PERMITS****Sections:**

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Section 14.08.010 Sewers required to be constructed as condition of approval of subdivisions--Costs.

Subdividers and developers required to install sewers as conditions of approval of subdivisions, records of surveys, conditional use permits, etc., shall design such sewers as specified by the City Engineer and shall construct such size and capacity as required by the City Engineer; provided, that when the installation of sanitary sewers of increased size are required to serve additional areas, the cost of such increase shall be paid for by the City. The City Engineer shall determine the pro rata cost between the developer and the City, but shall not allow City participation in the construction cost of any sanitary sewer of eight-inch diameter in single-family residential developments or ten-inch diameter in other types of development. Reimbursements for oversizes shall be computed by the City Engineer on the basis of actual pipe price differentials between the sizes required and those maximums set forth in this section, plus twenty percent of this price differential. (Prior code § 27.1-1)

Section 14.08.020 Maintenance of house sewer connections--Right of entry of inspectors.

All persons shall keep their house connections in good order at their own expense and shall be liable for damages which may result from failure to do so. A City inspector shall be admitted at all reasonable hours at all parts of any premises connected with the sewerage system for the purpose of checking any facilities mentioned in this chapter and establishing sewer service charges as provided in Chapter 14.04. (Prior code § 27.14)

Section 14.08.030 Connection to public sewer required.

A. No one shall occupy a house or any other structure in the City or camp or live on any premises within the City, unless such house or other structure or such premises be properly

connected to a public sewer whenever the property on which such house, other structure or premises is situated abuts upon a public or private street or alley or other right-of-way in which there exists a public sewer to which connection may be made; provided, however, if a house or structure is served by a satisfactorily functioning septic system, such connection to a public sewer system will not be required until the septic system for such house or other structure fails.

B. Anyone desiring to obtain a building permit for an addition to any existing house or structure shall be allowed to use a properly functioning septic system.

C. Anyone desiring to obtain a building permit for a new house or structure shall connect to the public sewer system when the property on which such house or structure is situated is not more than one hundred sixty feet from the public sewer and the right-of-way admits such connection, or if the house or structure is located within an area where the use of a septic tank poses a potential contamination risk to the City's drinking water wells in the area, as specified by resolution of City Council. All new houses or structures located within such area must be properly connected to the public sewer system, even if the property on which such house or structure is situated more than one hundred sixty feet from the public sewer and/or the right of way must be altered to admit such connection. (Ord. 6623 § 1, 2002; Ord. 6172 § 1, 1994; prior code § 27.28)

Section 14.08.040 Renting unconnected premises.

It is unlawful for anyone either as owner or agent, to rent any such house or other structure or premises not connected with a sewer as required in Section 14.08.030. (Prior code § 27.29)

Section 14.08.050 Connection permit required.

It is unlawful for any person to connect any property with any public sewer without first obtaining a connection permit from the City Engineer. (Prior code § 27.30)

Section 14.08.060 Application for connection permit.

Any person desiring to connect any property with any public sewer shall, before making any connection thereto, make application therefor to the City Engineer and, concurrently with the issuance of the permit, shall pay to the City Engineer any required connection charge. The application for the permit shall be in writing on a form provided by the City Engineer and shall contain a correct legal description of the land which is to be included in the permit. (Ord. 4066 § 1, 1973; prior code § 27.31)

Section 14.08.070 Connection permit application for large areas developed pursuant to subdivision maps.

Application for sewer connection permits to service large areas to be developed pursuant to a subdivision map, parcel map, conditional use permit or other similar proceeding shall be filed at the time the applicant initiates such proceedings. In the event no City sewer is immediately available, the applicant shall provide engineering plans for construction of necessary extensions to the nearest feasible sewer facility. Applicants for development of industrial areas may request the City to construct the required extension. Applicants for development of nonindustrial areas shall construct the required extension at their own cost.

Applicants who have constructed a sewer extension may apply to the City for a reimbursement contract to recover a portion of future fees paid for connections to the extension. The City may approve such a contract containing such provisions as may be approved by the City Council. (Ord. 4591 § 1, 1978; prior code § 27.31-1)

Section 14.08.080 Determination of cost--No charge under certain conditions.

The City Engineer shall consider each application for a connection permit and determine whether the public sewer is of such capacity and construction that the desired connection may be made in accordance with proper engineering and construction practices and whether the property has been assessed or the owner of the property has contributed to the cost of the construction of the sewer.

No charge or fee for the permit which is based upon benefits to the land shall be charged if the engineer determines that:

A. The land is a part of an assessment district upon which the cost of construction of the sewer was assessed according to benefits derived from the construction of the sewer as a local or district sewer as distinguished from an outfall sewer; or

B. The owner of the land or his predecessor in interest either constructed the sewer or contributed to the cost of its construction in an amount commensurate with the benefits to be derived from the permitted connection;

C. The desired connection is to be made to a public sewer other than a City sewer. (Ord. 4066 § 2, 1973; prior code § 27.32)

Section 14.08.090 Cost to be computed when property not assessed or assessment not paid.

If the City Engineer determines that the property described in the application for the permit to be connected to a City sewer has not been assessed or its owner has not paid for the construction of the sewer, as mentioned in Section 14.08.080, he shall compute the amount of the charge to be made for the permit. The amount of the charge shall be computed according to the benefit to the land and shall be computed by the City Engineer according to such method as may be adopted by him and which is in substantial compliance with the generally accepted methods of making and spreading assessments in proceedings under the Improvement Act of 1911 and similar acts, upon the basis of district assessments, as distinguished from the front foot assessments. (Ord. 4066 § 3, 1973; prior code § 27.33)

Section 14.08.100 How cost computed--Issuance and contents of permit.

The City Engineer shall compute the amount of connection charge by determining the number of units of benefit to the land described in the application for a connection permit, considering the width, depth, size and shape of the parcel of land and its location with reference to the sewer and by applying to the determined number of units of benefit a factor per unit as set by resolution of the City Council.

Upon payment of such amount, the City Engineer may issue the requested permit. The permit shall include a correct legal description of the parcel of land which may be connected with the public sewer by one or more permitted connections for the connection charge paid upon issuance of the permit. (Ord. 5898 § 1, 1991; Ord. 5770 § 1, 1989; Ord. 5554 § 1, 1987; Ord. 5366 § 1, 1985; Ord. 4966 § 1, 1981; Ord. 4742 § 1, 1979; Ord. 4485 § 1, 1977; Ord. 4291 § 1, 1976; Ord. 4290 § 1, 1976; Ord. 4124 § 1, 1974; Ord. 4091 § 1, 1974; Ord. 3901 § 1, 1972; Ord. 3419 § 1, 1966; prior code § 27.34)

Section 14.08.110 Recovery of cost upon subsequent payment of construction assessment.

In case any connection charge provided for in Sections 14.08.090 and 14.08.100 is paid and thereafter an assessment district is created and a public sewer is constructed and such property is assessed for such construction work, the owner of the property, on application to the City Engineer on or before two years following the creation of the assessment district, shall be entitled to have repaid to him from the City Treasury the amount paid to the City for such

connection charge. (Prior code § 27.35)

Section 14.08.120 Off-site trunk lines and general plant facilities charges.

Any person desiring a permit to connect property with a City sewer in addition to all other fees but subject to the same limitations imposed herein shall pay for off-site trunk lines and general plant facilities required for the disposal of sanitary sewage an amount as established by the City Council by resolution.

The charges applied in this section shall also apply pro rata to any alteration or addition resulting in an additional dwelling unit in a hotel or motel development.

The charges applied in this section shall also apply pro rata to any alteration or addition to any commercial, institutional or industrial development requiring a new building permit whether or not there are sewer facilities in the addition or enlargement.

The provisions of this section and the fees herein required shall not be applicable to a person desiring a permit to connect City-owned property with the City sewage system in those instances where the buildings on the City property are owned by the City or in the future shall become the property of the City under the terms of a contractual agreement. (Ord. 4859 § 1, 1980; Ord. 4516 § 1, 1978; Ord. 4468 § 1, 1977; Ord. 4066 § 4, 1973; Ord. 3419 § 2, 1966; Ord. 3350 § 1, 1966; prior code § 27.35-1)

Section 14.08.130 When fees in Section 14.08.120 payable.

Payment of the fees specified in Section 14.08.120 for subdivisions shall be made prior to City Council approval of the final subdivision map. Payment of the above-specified fees on other than subdivisions shall be paid at the time of the permit issuance. (Prior code § 27.35-2)

Section 14.08.140 Time limit for construction of connection.

Any property owner making application for a permit, as provided for in this chapter, must make the connection from the public sewer to the property line within six months from the issuance of such permit; otherwise such permit shall, upon the expiration of such time, become null and void. (Prior code § 27.36)

Section 14.08.150 Receipt and disposition of funds.

The City Engineer is empowered to collect and receive the money for connection charges provided for in this chapter, and all money so collected shall be deposited by the City Engineer with the City Treasurer and shall be placed by the City Treasurer in the sewer service fund of the City. (Prior code § 27.37)